

111TH CONGRESS
1ST SESSION

S. RES. 379

To express the sense of the Senate regarding the protection of intellectual property rights for clean energy and environmental technology.

IN THE SENATE OF THE UNITED STATES

DECEMBER 17, 2009

Mrs. GILLIBRAND submitted the following resolution; which was referred to the Committee on Foreign Relations

RESOLUTION

To express the sense of the Senate regarding the protection of intellectual property rights for clean energy and environmental technology.

Whereas the development and deployment of innovative clean energy and environmental technology is critical to addressing global climate change;

Whereas intellectual property rights are a key driver of investment and research and development in, and facilitate global deployment of, clean energy and environmental technology;

Whereas efforts to weaken intellectual property rights for clean technology would undermine the environmental objectives of climate change negotiations by reducing incentives for investment, innovation, and clean energy and en-

environmental technology deployment required to meet those objectives;

Whereas weakened intellectual property right protections relating to clean energy and environmental technology could pose a substantial competitive risk to United States businesses and United States workers and inhibit the creation of new green jobs and the transition to a green economy for the 21st century; and

Whereas climate action presents a significant opportunity for international cooperation on clean technology development and deployment, with substantial environmental and economic benefits for all countries: Now, therefore, be it

1 *Resolved*, That it is the sense of the Senate that the
 2 President of the United States should pursue opportuni-
 3 ties for international cooperation in technology deploy-
 4 ment, and should act to ensure that any treaty or other
 5 accord resulting from negotiations of the United Nations
 6 Framework Convention on Climate Change, done at New
 7 York on May 9, 1992 (or a successor agreement) does not
 8 weaken or undermine international legal rules and obliga-
 9 tions in effect as of the date of enactment of this Act relat-
 10 ing to the protection and enforcement of intellectual prop-
 11 erty rights for energy and environmental technology, in-
 12 cluding—

13 (1) wind, solar, biomass, geothermal, hydro,
 14 landfill gas, natural gas, marine, trash combustion,
 15 fuel cell, hydrogen, microturbine, nuclear, clean coal,

- 1 electric battery, alternative fuel, alternative refueling
- 2 infrastructure, advanced vehicle, electric grid, and
- 3 energy efficiency-related technologies; and
- 4 (2) any other technologies covered by such an
- 5 agreement.

